

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today
(1) was not written for publication in a law journal and
(2) is not binding precedent of the Board.

Paper No. 64

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

STEPHEN J. DAVIS, ALAN K. UKE and LAWRENCE P. MONTY

Junior Party,¹

v.

ALAN K. UKE, LAWRENCE P. MONTY and STEPHEN J. DAVIS

Senior Party.²

Patent Interference No. 102,751

Before METZ, PATE and MARTIN, **Administrative Patent Judges**.

¹ Application 07/373,331, filed June 29, 1989. Assignor to Prince Sports Group, Inc.

² Patent 4,953,862, granted September 4, 1990, based on Application 07/339,689, filed April 18, 1989. Assignor to Prince Sports Group, Inc.

Interference No. 102,751

PATE, *Administrative Patent Judge*.

Background

By order of the District Court for the District of New Jersey, the Commissioner of Patents and Trademarks has been directed to change the inventorship of the Senior party Uke et al. patent. The inventorship has been changed, and the record also reflects that the assignee of the junior party application and the senior party patent is the same. Furthermore, the request to correct the inventorship of the junior party involved application has been granted.

The assignee, Prince Sports Group, Inc., has terminally disclaimed that part of any patent term of the junior party application that would extend beyond the expiration date of the senior party involved patent. Accordingly, the following judgment is entered.

Judgment

It is hereby adjudged on the present record that the senior party patentees, Alan K. Uke, Lawrence P. Monty, and

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Stephen J. Davis, are entitled to their patent claims 1 and 7-9, which claims correspond to the count in the interference, and the junior party applicants, Stephen J. Davis, Alan K. Uke, and

Lawrence P. Monty, are entitled to their claims 1-7, 8/1-4, 8/5, 8/6, 8/7, and 13-18, which claims correspond to the count in the interference.

	ANDREW H. METZ)	
	Administrative Patent Judge)	
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)	
)	BOARD OF
PATENT)	
	WILLIAM F. PATE, III)	APPEALS AND
	Administrative Patent Judge)	
INTERFERENCES)	
)	
)	
	JOHN C. MARTIN)	
	Administrative Patent Judge)	

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WFP:psb

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